IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 9th day of February, 2005

Bail Application No. 1031 of 2004

Order on Bail Application of accused

Criminal Side

Manoj @ Tinku
S/o Ram Prakash
R/o Adarsh Colony,
P.S. Rudrapur
District – Udham Singh Nagar .....Applicant

Versus

State of Uttaranchal ... Opposite Party

Arising out of case crime No. 279 of 2004
U/Ss 302/34 I.P.C.,
Police Station Rudrapur
District – Udham Singh Nagar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime no. 279 of 2004, U/S 302/34 I.P.C., Police Station Rudrapur, District – Udham Singh Nagar.

Heard Sri S.K. Mandal, learned counsel for the applicant, learned A.G.A. and perused the record.

As per the prosecution case, Javed was murdered by strangulation in the night of 19/20.03.2004.

During the course of the investigation, the statement of son of the deceased was recorded who stated that the applicant strangulated his father in the night. He has further, stated that at the time of the occurrence, he was sleeping on the bed by the side of the father.

The post-mortem report reveals that the death of the deceased was due to asphyxia and strangulation injuries.

Keeping in view the specific role assigned to the applicant, I think it is not a fit case for bail at this stage.

Accordingly the bail application is rejected.

(B.C. Kandpal, J.)

February 9, 2005
Shiv